Reg. No. KL/TV/12

Government of Kerala
1975

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No. 573

GOVERNMENT OF KERALA

Public Works (Transport-C) Department

NOTIFICATION

No. 33942/TC2/75-10/PW. *Dated, Trivandrum, 29th September* 1975.

S. R. O. No. 831/75.—In exercise of the powers conferred by sub rule (2) of rule 1 of the Kerala Motor Vehicles Taxation Rules, 1975 the Government of Kerala hereby appoint the 1st day of October, 1975, as the date on which the said rules shall come into force.

By order of the Governor,

T. V. Swaminathan,

Special Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to bring out its main purport).

Under sub-rule (2) of rule 1 of the Kerala Motor Vehicles Taxation Rules, 1975 the provision of the Rules shall come into force only from such date, as the Government may by notification in the Gazette appoint. The above notification is to give effect to the Kerala Motor Vehicles Taxation Rules, 1975 from 1st October, 1975.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No. 566

GOVERNMENT OF KERALA

Home (SS) Department

NOTIFICATION

No. 32468/SS1/75/Home. *Dated, Trivandrum, 29th September* 1975.

S. R. O. No. 866/75.—Under clause (a) of section 5 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (Central Act 52 of 1974), the Government of Kerala hereby make the following further amendment to the Conservation of Foreign Exchange and Prevention of Smuggling Activities (Kerala Conditions of detention) Order, 1975, issued under Notification No. 13507/SS1/75/Home dated the 7th June, 1975 and published as S. R. O. No. 477/75 in the Kerala Gazette Extraordinary No. 285 dated the 7th June, 1975, namely:—

Amendment

In the said order, for Note (1) under clause 6, the following Note shall be substituted, namely:—

"*Note:* 1. No security prisoner shall be allowed to cook his own food:

Provided that a security prisoner shall be allowed to bring from outside reasonable quantity of fruits and biscuits prepacked in tins or cartons by the manufacturing company to supplement the food, once a week".

By order of the Governor,

S. Narayanaswamy,
Special Secretary to Government.

Explanatory Note

It is considered necessary to grant some additional amenities to the security prisoners by allowing them to bring fruits and biscuits from outside. Hence this notification.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No. 567

GOVERNMENT OF KERALA

Home (SS) Department

NOTIFICATION

No. 45655/SS1/75/Home. *Dated, Trivandrum, 29th September* 1975.

S. R. O. No. 867/75.—Under section 5 of the Maintenance of Internal Security Act, 1971 (Central Act 26 of 1971), the Government of Kerala hereby make the following further amendment to the Kerala Security Prisoners' Order, 1975, issued under Notification No. 23165/SS1/75/Home dated the 7th June, 1975 and published as S. R. O. No. 478/75 in the Kerala Gazette Extraordinary No. 286 dated the 7th June, 1975, namely:—

AMENDMENT

In the said order, for Note (1) under clause 6, the following Note shall be substituted, namely:—

"*Note:* 1. No security prisoner shall be allowed to cook his own food:

Provided that a security prisoner shall be allowed to bring from outisde reasonable quantity of fruits and biscuits prepacked in tins or cartons by the manufacturing company to supplement the food, once a week."

By order of the Governor,

S. NARAYANASWAMY,

Special Secretary to Government.

Explanatory Note

It is considered necessary to grant some additional amenities to the security prisoners by allowing them to bring fruits and biscuits from outside. Hence this notification.

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Government of Kerala
1975

Reg. No. KL/TV/12

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EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No 569

GOVERNMENT OF KERALA

Local Administration & Social Welfare (C) Department

NOTIFICATIONS

I

G. O. MS. 246/75/LA & SWD. *Dated, Trivandrum, 29th September, 1975.*

S. R. O. No. 868/75.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 6 of the Births, Deaths and Marriages Registration Act, 1886 (Central Act 6 of 1886) read with sub-section (1) of section 31 of the Registration of Births and Deaths Act, 1969 (Central Act 18 of 1969), the Government of Kerala hereby make the following amendments to the notification No. HL. 5-22493-2/56/DD. dated the 1st November, 1956, namely:—

AMENDMENTS

In the said Notification,

(i) for the words "Director of Public Health" the words "Director of Panchayats" shall be substituted.

(ii) for the words "Registrar General of Births, Deaths and Marriages" the words "Registrar General of Marriages" shall be substituted.

By order of the Governor,

N. GOPALAKRISHNAN NAIR,

Special Secretary to Government.

33/3461/MC.

Explanatory Note

(This note is not a part of this Notification but is intended to indicate its general purport)

The Registration of Marriages in Kerala is performed under three enactments, viz., The Hindu Marriage Act, 1955 (Act 25 of 1955), The Special Marriage Act, 1954 (Act 43 of 1954) and the Christian Marriage Act, (Act No. XV of 1872). The Government now propose to appoint the Director of Panchayats who is also the Chief Registrar of Births and Deaths, as Registrar General of Marriages and to administer the above three enactments.

This notification is intended to achieve the above object.

II

G. O. MS. 247/75/LA & SWD. *Dated, Trivandrum, 29th September, 1975.*

S. R. O. No. 869/75.—In supersession of the Notification No. 47326/59-Home (E) Department dated the 5th November, 1960, published in Kerala Gazette Part I dated 15-11-1960 the Government of Kerala hereby appoint the Director of Panchayats and Chief Registrar, Births and Deaths, Trivandrum, as the Registrar General of Marriages, for purposes of section 48 of the Special Marriage Act, 1954 (Central Act 43 of 1954).

By order of the Governor,

N. GOPALAKRISHNAN NAIR,
Special Secretary to Government.

Explanatory Note

(This note is not a part of this Notification but is intended to indicate its general purport).

By Notification No. 47326/59-Home (E) Department dated 5-11-1960 Government have appointed the Director of Health Services, as the Registrar General of Births, Deaths and Marriages for the purpose of Section 48 of the Special Marriage Act, 1954 (Central Act 43 of 1954) out of which the work of Registration of Births & Deaths have been further entrusted to the Director of Panchayats, as per Notification I, issued in G. O. MS. 73/70/DD dated 31-3-1970 of the Development (Panchayats Special) Department, by appointing Director of Panchayats as Chief Registrar.

For the sake of administrative convenience, and to bring these three items of work which are inter-connected under the same agency, the Government now propose to appoint the Director of Panchayats who is the Chief Registrar of Births and Deaths, as the Registrar General of Births, Deaths and Marriages, also, for purposes of Section 48 of the Special Marriages Act, 1954 (Central Act 43 of 1954) and to administer the three enactments now controlling the Registration of marriages viz. (1) The Hindu Marriages Act, 1955 (Act 25 of 1955), (2) The Special Marriage Act (Act 43 of 1954), and the Christian Marriage Act, (Act XV of 1872).

This notification is intended to achieve the above object.

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Government of Kerala
1975

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No. 570

GOVERNMENT OF KERALA

Public Works (D) Department

NOTIFICATION

No. 41079/D3/75/PW. *Dated, Trivandrum, 29th September 1975.*

Whereas in exercise of the powers conferred by clause (1) of Article 258 of the Constitution, the President has, in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent, the functions of the Central Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962); in relation to the acquisition of land for the purpose of the Union in the Kerala State;

And whereas it appears to the Government of Kerala that the lands specified in schedule below are needed or are likely to be needed for a public purpose, to wit for widening and strengthening of National Highway from Kms. 465/200 to 465/400, notice to that effect is hereby given to all whom it may concern in accordance with the provisions of section 3 (1) of the said Act.

Under sub-section (4) of section 19 of the said Act, the Government direct that in view of the urgency of the case, the provisions of section 5 of the Act shall not apply to this case.

ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം വകുപ്പിലെ 1-ാം ഉപവകുപ്പ് അനുശാസിക്കുന്ന അധികാരം ഉപയോഗിച്ച് ഇൻഡ്യൻ പ്രസിഡന്റ് 1963-ാം ആണ്ട് മേയ് മാസം 31-ാം തീയതിയിലെ 2-4-63-ഡി 2-ാം നമ്പർ നോട്ടിഫിക്കേഷൻ പ്രകാരം

കേരളാ ഗവൺമെന്റിനെ അവരുടെ സമ്മതത്തോടുകൂടി 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്ട്) പ്രകാരം കേരള സംസ്ഥാനത്തിന് കേന്ദ്ര ഗവൺമെന്റ് ആവശ്യത്തിലേക്ക് എടുക്കുവാൻ ഉദ്ദേശിക്കുന്ന ഭൂമിയെ സംബന്ധിച്ചിടത്തോളം കേന്ദ്ര ഗവൺമെന്റിന്റെ പ്രവർത്തികൾ ചെയ്യുവാൻ ഏൽപ്പിച്ചിരിക്കുന്നതിനാലും;

താഴെ പട്ടികയിൽ വിവരിക്കുന്ന ഭൂമി ഒരു പൊതുകാര്യത്തിന് അതായത് നാഷണൽ ഹൈവേ 47-ൽ കി. മീറ്റർ 465/200 മുതൽ കി. മീറ്റർ 465/400 വരെ വീതി കൂട്ടുന്നതിനും ബലപ്പെടുത്തുന്നതിനും ആവശ്യമാണെന്ന് കേരളാ ഗവൺമെന്റിന് ബോധ്യമായിരിക്കയാലും അപ്രകാരം ആവശ്യപ്പെടുന്നു എന്ന അറിയിപ്പ് ടി ആക്ട് 3(1) എന്ന വകുപ്പിലെ വ്യവസ്ഥകൾ അനുസരിച്ച് അതു സംബന്ധിച്ച എല്ലാപേർക്കും ഇതിനാൽ നൽകിയിരിക്കുന്നു.

ടി ആക്ട് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പു പ്രകാരം ഉള്ള ഈ സംഗതിയുടെ അടിയന്തിരാവസ്ഥ പരിഗണിച്ച് ഇതിൽ ടി ആക്ട് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ ബാധകമല്ലെന്നും ഗവൺമെന്റ് നിർദ്ദേശിച്ചിരിക്കുന്നു.

Block 28—Karunagappally unit (Additioral

SCHEDULE

District—Quilon.

Taluk—Karunagappally. Village—Perinad.

(The extent given is approximate)

Sl. No.	*Survey No.*	*Extent*	
		Are	*Sq. m.*
1	9904 Part	0	20

By order of the Governor,

M. C. RAJA RAJA VARMA,
Deputy Secretary to Government.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No. 571

GOVERNMENT OF KERALA

Agriculture (Co-operation) Department

NOTIFICATION

G. O. Ms. 293/75/AD. *Dated, Trivandrum, 27th September* 1975.

S. R. O. No. 870/75.—In exercise of the powers conferred by section 109 of the Kerala Co-operative Societies Act 1969 (21 of 1969), the Government of Kerala hereby make the following amendment to the Kerala Co-operative Societies Rules 1969, the same having been previously published as required by sub-section (1) of the said section, namely:—

AMENDMENT

In the said rules, for sub-rule (2) of rule 183, the following sub-rule shall be substituted, namely:—

"(2) No employee shall be eligible to continue in the service of a society after he attains the age of 58 years".

This amendment shall take effect from the 15th October 1975.

By order of the Governor,

K. M. CHANDRASEKHAR,

Deputy Secretary.

33/3463/MC

Explanatory Note

(This does not form part of the notification but is intended to indicate the general purport).

Representations have been received from individuals and associations requesting that the retirement age now prescribed for Co-operative employees under rule 183 (2) of the Kerala Co-operative Societies Rules, 1969 may be raised from 55 to 58 years. The Registrar of Co-operative Societies also recommended that the retirement age may be raised to 58 years. Government, having considered the matter in detail, decided to enhance the retirement age of co-operative employees to 58 years and published a preliminary notification in the Kerala Gazette Extraordinary dated 1-7-1975 as required under sub-section (1) of section 109 of the Kerala Co-operative Societies Act, 1969 inviting objections or suggestions. The objections and suggestions so received were duly considered by Government. None of them were found valid or acceptable. The present amendment to rules is to give effect to the decision of the Government to raise the retirement age of Co-operative employees to 58 years.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No. 568

NOTICE

No. C4/81685/75. *27th September, 1975.*

Whereas I am satisfied that the public place mentioned in Schedule-I below is required in connection with the launching of the Equatorial Sounding Rockets from the Launching Station at Pallithura in the Attipra Village of Trivandrum Taluk by the Space Research Division of the Department of Atomic Energy to the Government of India.

I, V. N. Rajan, Inspector General of Police in exercise of the powers conferred upon as under section 24 of the Kerala Police Act, 1960 (Act V of 1961) hereby reserve temporarily the public place mentioned in Schedule-II and prohibit persons from entering the area so reserved save under conditions as may be prescribed by me.

Schedule—I

PLACE OF LAUNCHING

The Rocket will be fired from the Launcher on a Pad at Pallithura near Trivandrum on the west coast of India.

33/3452/MC.

FIRING SCHEDULE

Date	*Danger Time (IST)*	*Rocket Type*	*Pay-load*
4-10-1975 & 6-10-1975	1500-1700 hrs.	MENAKA-II	Met

LAUNCHER CO-ORDINATES

Latitude—8° 32′ 34″ N
Longitude—76° 51′ 32″ E

FIRING DIRECTION

Menaka-II

Azimuth (Effective) 235°
Elevation (Effective) 82°

Schedule—II

DANGER ZONES

1. A Sector of radius 5 NM from launcher between Azimuth angles 190 and 300 deg.

2. A Sector of radius 15 NM and 50 NM from launcher between azimuth angles 220 and 260 deg.

All types of Aircraft, Shipping Boats, etc., especially Fishing Boats of all description are warned to keep clear the Danger Zones mentioned above.

Office of the Inspector-General of Police,
Kerala State, Trivandrum-10.

V. N. RAJAN,
Inspector-General of Police.

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KERALA GAZETTE

EXTRAORDINARY

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Vol. XX] Trivandrum, Monday, 29th September 1975 / 7th Asvina 1897 [No. 565

GOVERNMENT OF KERALA

Finance (ESTT. C) Department

ORDER

G. O. MS. 454/75/Fin. *Dated, Trivandrum, 25th September 1975.*

Read: G. O. MS. 382/75/Fin. dated 18-8-1975.

The date of opening of the new Sub Treasury at Cannanore sanctioned in the G. O. read above is fixed as 6th October, 1975.

By order of the Governor,
K. A. ABRAHAM,
Deputy Secretary.

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33/3446/MC

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Government of Kerala
1975

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Public Works (Transport-C) Department

NOTIFICATION

No. 33942/TC2/75/PW. *Dated, Trivandrum, 29th September 1975.*

S.R.O. No. 871/75.—In exercise of the powers conferred by Section 28 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance No. 7 of 1975), the Government of Kerala hereby make the following Rules, namely:—

THE KERALA MOTOR VEHICLES TAXATION RULES, 1975

1. *Short title, application and commencement.*—(1) These rules may be called the Kerala Motor Vehicles Taxation Rules, 1975.

(2) They shall come into force on such date as the Government may, by notification in Gazette, appoint.

2. *Definitions.*—In these rules unless the context otherwise requires,—

(a) "Form" means a form appended to these rules;

(b) "The Ordinance" means the Kerala Motor Vehicles Taxation Ordinance, 1975 (7 of 1975);

(c) "section" means section of the Ordinance.

3. *Endorsement Regarding levy of tax* [Section 4 (1)].—The registered owner or the person having possession or control of every motor vehicle shall produce the certificate of registration to the Regional Transport Officer and

33/3464/MC

thereupon the Regional Transport Officer, or any person authorised by him in this behalf, shall make an endorsement in the Certificate of Registration specifying the rate of tax levied, the date from which the tax is levied, and where the payment is to be made:

Provided that in the case of a Stage Carriage permitted to ply on a route lying in more than one region or exclusively in a region other than the region in which the registered owner resides, the certificate of registration of the vehicle shall be forwarded to the Regional Transport Officer, within whose jurisdiction the major portion of the route, or the intra-regional route as the case may be, lies, for making the endorsement.

4. *Payment of tax levied* [Section 4(1)].—Tax levied in respect of every non-transport motor vehicle shall be paid in cash at the office specified in the certificate of registration of the vehicle and tax in respect of every transport Vehicle shall be paid by crossed demand draft payable at the local branch of the State Bank of Travancore or the State Bank of India or in any other manner specified in the certificate of registration of the vehicle. While making such payment in cash or otherwise, the certificate of registration along with the certificate of insurance referred to in section 8, shall be produced before the Taxation Officer for the issue of tax licence and necessary endorsement regarding the details of tax paid and licence issued.

5. *Period within which tax shall be paid* [Section 4 (1)].—The tax due under the Ordinance in respect of each category of motor vehicle shall be paid within such period as is specified below:—

Category of vehicle	*Period within which tax is to be paid (inclusive of the date of commencement*
(1)	(2)
1. Non-transport vehicles and contract carriages ordinarily kept in the State	14 days from the date of commencement of the quarter.
2. Transport vehicles other than contract carriages ordinarily kept in the State	One month from the date of commencement of the quarter.
3. Vehicles newly purchased and registered in the State, or brought from outside the State for permanent use in this State, within the quarter:	
(i) In the case of non-transport vehicles	7 days from the date of purchase or bringing of the vehicle in the State, without prejudice to the period allowed herein above.

(1)	(2)
(ii) In the case of transport vehicles	7 days from the date of endorsement of tax in the certificate of registration without prejudice to the period allowed herein above.
4. Transport vehicles of other States permitted to ply in this State	Before the commencement of the quarter or the date of issue of the permit if permit is issued within the quarter, as the case may be.
5. Vehicles in respect of which tax at reduced rate or balance tax due to enhancement of rate of tax becomes payable within the quarter consequent on the grant of exemption, alteration or any other reason	7 days from the date of endorsement of such reduced tax or balance tax, without prejudice to the period allowed herein above.

6. *Rebate allowed for Annual Tax licence* [Section 4(2)].—The rate of rebate in respect of the tax in the case of an annual licence shall be 2 per cent of the tax payable on such annual licence, provided that the tax is paid within the period prescribed under rule 5 and such rebate shall be allowed by deducting the rebate due, while making the payment of tax.

7. *Form of tax licence* [Section 4 (3) (a)].—Tax licences shall be as specified in the Forms A to E.

8. *Certificate for Unregistered vehicles* [Section 4 (3) (b)].—The certificate in respect of any vehicle not registered under the Motor Vehicles Act, 1939, (Central Act 4 of 1939), shall be in Form F.

9. *Display or Exhibition of tax licence* [Section 4 (5)].—The licence shall be displayed in the manner specified below:—

(1) (a) All vehicles with windshield glass in front—At the bottom left hand corner on the inside of the windshield glass.

(b) Vehicles with no windshield glass—on the left side of the handle-bar of the vehicle, nearest to the middle of the handle-bar.

(c) In all cases, the licences shall be carried in such a manner as to be clearly visible at all times whether the vehicle is moving or stationary.

(2) The licence may be carried in a suitable metal or plastic container or may be pasted on the windshield glass.

10. *Exemption from Tax* - [Section 5 (1)].—(1) The previous intimation referred to in sub-section (1) of section 5 shall be made to the Regional Transport Officer concerned in Form G or in writing with the particulars required.

therein accompanied by the certificate of registration of the vehicle so as to reach him within one week from the date of commencement of the period for which exemption from payment of tax in respect of the vehicle is claimed due to non-use.

(2) On receipt of the intimation, the Regional Transport Officer concerned shall certify, after such verification as may be deemed necessary, the non-use of the vehicle for the period for which tax is not payable, by making necessary endorsement in the certificate of registration of the vehicle.

Note.—The previous intimation referred to in this rule shall be sent by registered post acknowledgement due or presented to the office of the. Regional Transport Officer, in person and in the latter case, acknowledgement for its receipt, shall be obtained.

11. *Compensation to local Authorities* [Section 19].—The Compensation payable to local authorities shall be fixed in accordance with the following principles:—

The expenses for collecting the tax and the cost incurred by the Government in exercising their administrative functions in regard to the control of motor vehicles, shall be. deducted from the tax Collected for the year and the balance divided between the Government and the local authorities based on the recommendation of a Committee to be appointed by the Government for the purpose. The decision of the Government on the recommendation of the Committee shall be final.

12. *Appeals* [Section 23].—(1) *Time for appeal.*—An appeal under section 23 shall be preferred before the Deputy Transport Commissioner having jurisdiction over the area within 30 days from the date of receipt of the order, which is the subject of the appeal.

(2) *Manner of appeal.*—The appeal shall be in the form of a memorandum setting forth concisely the grounds of objection to the order, which is the subject of the appeal, and shall be accompanied by the original or a certified copy of that order. The memorandum of the appeal shall be in duplicate.

(3) *Fee.*—A fee of Rs. 25 shall be paid in respect of each appeal, payment being made by means of treasury chalan.

(4) *Certified copy of documents—issue of.*—The Taxation Officer or the Regional Transport Officer, as the case may be, may give any person interested in an appeal referred to in sub-rule (1) a certified copy of the order appealed against, or of any other relevant document, on payment of a fee of two rupees, such payment being made by means of court fee stamps affixed to the application for each such copy of the order, petition or document. Such certified copies may be issued by the Taxation Officer or the Regional Transport Officer, as the case may be, on stamp paper to be produced by the applicant within seven days from the date of submission of the application. If for any reason, any or all the certified copies could not be issued, the fact may be communicated in writing to the applicant, within the said period of 7 days.

(5) *Conduct of hearing of appeal.*—A copy of the memorandum of appeal shall be forwarded by the Deputy Transport Commissioner having jurisdiction over the area to the Officer whose order is the subject of appeal, requiring him to forward the connected records of the case and remarks, if any, which he wishes to make on the memorandum of appeal. On receipt of such records and remarks, if any, the Deputy Transport Commissioner shall issue notice to the parties specifying the date, time and place of hearing the appeal, and requiring them to attend the proceedings accordingly. If they attend, he may hear the appellant and the other interested parties, if any, and take such evidence as may be necessary in the circumstances of the case, before passing orders. An appeal shall, ordinarily be disposed of, within two months from the date of filing the appeal.

13. *Revision* [Section 24 (2)].—(1) *Manner of revision.*—An application for revision under sub-section (1) of section 24 shall be in the form of a memorandum setting forth concisely the grounds of objection to the order, which is the subject of the revision, and shall be accompanied by the original or a certified copy of that order. The memorandum of revision shall be in duplicate.

(2) *Fee.*—A fee of Rs. 50 shall be paid in respect of each application for revision, the payment being made by means of Treasury Chalan.

(3) *Certified copy of documents—Issue of.*—The Taxation Officer, the Regional Transport Officer or the Deputy Transport Commissioner, as the case may be, may give any person interested in a revision referred to in sub-rule (1), a certified copy of the order sought to be revised or of any other relevant document, on payment of a fee of two rupees, such payment being made by means of court fee stamps affixed to the application for each such copy of the order, application or document. Such certified copies shall be issued by the Taxation Officer or Deputy Transport Commissioner on stamp paper to be produced by the applicant, within 7 days from the date of submission of the application. If for any reason, any or all the certified copies could not be issued, the fact may be communicated in writing to the applicant, within the said period of 7 days.

(4) *Conduct of hearing of Revision Petition.*—A copy of the application for revision shall be forwarded by the Transport Commissioner to the Officer whose order is the subject of revision, requiring him to forward the connected records of the case and remarks, if any, which he wishes to make on the application for revision. On receipt of such records and remarks, if any, the Transport Commissioner shall issue notice to the parties specifying the date, time and place of hearing the application for revision and requiring them to attend the proceedings accordingly. If they attend, he may hear the applicant and the other interested parties, if any, and take such evidence as may be necessary in the circumstances of the case, before passing orders. The application shall ordinarily be disposed of, within three months from the date of filing the application. The order of the Transport Commissioner on the application for revision shall be final.

14. *Duplicate Tax Licence—Grant of* [Section 28 (2) (c)].—(1) A duplicate tax licence may be granted by the Taxation Officer, on receipt of an

application made in writing, (enclosing the certificate of registration also) by the registered owner or the person in possession or control of the motor vehicle, if it is declared in such application, that the original licence has been lost, destroyed or mutilated. The duplicate tax licence so granted, shall be stamped "DUPLICATE" or noted as such in red ink. The particulars of the duplicate tax licence so issued shall be endorsed in the certificate of registration of the vehicle.

(2) The fee for the grant of a duplicate tax licence shall be rupees five (Rs. 5). It shall be paid to the Taxation Officer along with the application for the duplicate licence. The amount will, on no account be refunded.

15. *Refund of Tax paid in excess or by mistake* [Section 28 (2) (g)].—The Regional Transport Officer may, on application, sanction the refund of any tax paid or collected by mistake or in excess or remitted under wrong head of account, provided that such application in writing along with evidence of payment of such amount is presented to the Regional Transport Officer within one year from the date of payment of such amount.

16. *Service of Notices—Manner of.*—Notice under the Ordinance or these rules may be served by any of the following methods:—

(a) by delivery or tender of a copy of the notice to the addressee or his agent or other person duly authorised to receive notice on his behalf;

(b) by sending to the registered owner the notice by registered post acknowledgement due, at his address as entered in the certificate of registration of the vehicle.

(c) by affixture on the door of the house of the addressee.

17. *Transitory provision—Payment of balance Tax* [Section 29 (2).—When any balance amount of tax is payable under sub-section (1) of section 29, the registered owner or person having possession or control of the vehicle shall produce the certificate of registration of the vehicle to the Regional Transport Officer concerned within fifteen days from the date of commencement of the Ordinance for the purpose of endorsing the balance tax payable and pay such amount within seven days from the date of such endorsement. If the balance tax is not paid within the time prescribed above, additional tax at the rate specified in the notification issued under section 12 shall also be payable along with the balance tax.

18. *Repeal.*—(Section 31).—The Kerala Motor Vehicles Taxation Rules, 1963 and the Kerala Motor Vehicles (Taxation of Passengers and Goods) Rules, 1963 are hereby repealed:

Provided that the orders made or action taken or the things done under the Rules so repealed, shall be deemed to have been made, taken or done under the corresponding provisions of these rules.

By order of the Governor,

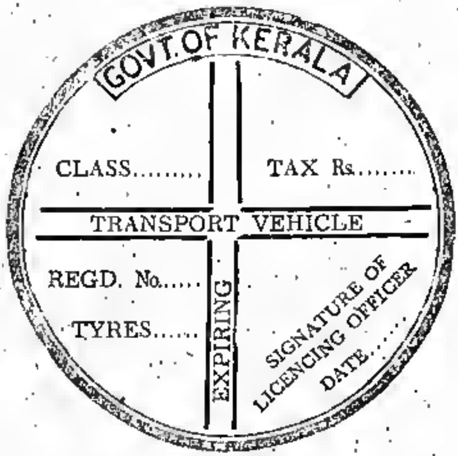
T. V. SWAMINATHAN,
Special Secretary to Government.

FORM A

(See Rule 7)

TRANSPORT VEHICLE

Licence granted under section 4 (3) (a) of the Kerala Motor Vehicles Taxation Ordinance, 1975.



Name & address of the Registered Owner or person having possession or control of the vehicle

Office Seal

Date of issue

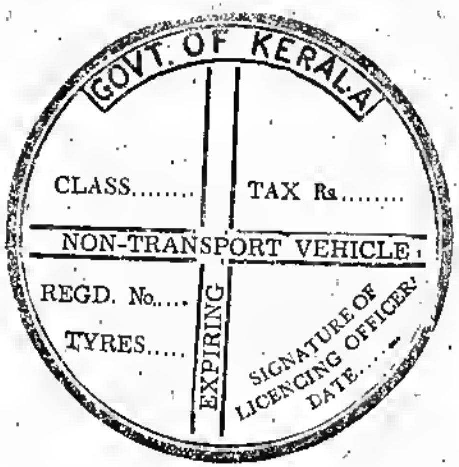
The cross in this licence form, shall be in different colours for every quarter.

FORM B

(*See* Rule 7)

NON-TRANSPORT VEHICLE

Licence granted under section 4 (3) (a) of the Kerala Motor Vehicles Taxation Ordinance, 1975.



Name & address of the Registered Owner or person having possession or control of the vehicle

Office Seal.

Date of issue

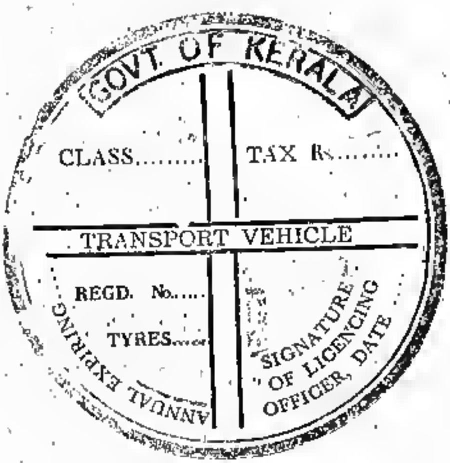
The cross in this licence form, shall be in different colours for every quarter.

FORM C

(See Rule 7)

TRANSPORT VEHICLE

Licence granted under section 4 (3) (a) of the Kerala Motor Vehicles Taxation Ordinance, 1975.



Name & address of the Registered Owner or person having possession or control of the vehicle

Office Seal

Date of issue

The middle portion between the two lines in this licence form, shall be in different colours for every year.

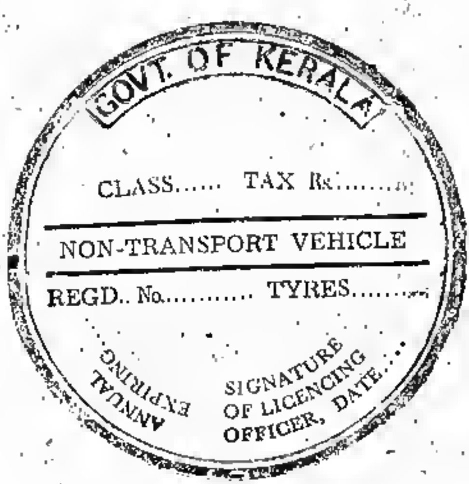
33/3464/MC.

FORM D

(*See* Rule 7)

NON-TRANSPORT VEHICLE*

Licence granted under section 4 (3) (a) of the Kerala Motor Vehicles Taxation Ordinance, 1975.



Name & address of the Registered Owner or person having possession or control of the vehicle

Office Seal

Date of issue

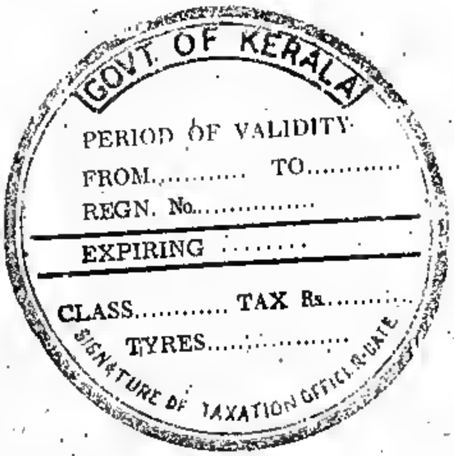
*The middle portion between the two lines in this licence form shall be in different colours for every year.

FORM E

(See Rule 7)

FORM OF TEMPORARY LICENCE

Licence granted under section 4 (3) (a) of the Kerala Motor Vehicles Taxation Ordinance, 1975.



Name & address of the Registered Owner or person having possession or control of the vehicle

... ...
... ...

Office Seal

Date of issue

FORM F

(*See* rule 8)

FORM OF CERTIFICATE FOR MOTOR VEHICLES NOT REGISTERED UNDER THE MOTOR VEHICLES ACT IV OF 1939

[*See* Section 4(3)(b)]

Description of vehicles

1. Registered number and distinguishing mark
2. Class of vehicle
3. Maker's name
4. Type of body
5. Year of manufacture
6. Number of cylinders
7. Chassis No.
8. Engine No.
9. Horse power
10. Maker's classification or if not known, wheel base
11. Seating capacity including driver
12. Unladen weight
13. Laden weight
14. Class under Taxation Schedule

Station:
Date

Regional Transport Officer.

Name of the registered owner
(Block capitals)

Address.
Station:
Date:

Regional Transport Officer.

Change of address of registered owner:

1st change
2nd change
3rd change

Transfer of ownership of the vehicle:

1st transfer
2nd transfer
3rd transfer

Endorsement of tax paid

The tax due viz., Rs............. under the Kerala Motor Vehicles Taxation Ordinance, 1975 in respect of the vehicle referred to has been collected at .... on .... for the period from .... to ....

No tax is payable for the period from .... to .... as the vehicle ....

Station:

Date:

Taxation Officer.

The tax due viz., Rs. .... under the Kerala Motor Vechicles Taxation Ordinance, 1975 in respect of the vehicle referred to has been collected at .... on .... for the period from .... to ....

No tax is payable for the period from .... to .... as the vehicle ....

Station:

Date:

Taxation Officer.

The tax due viz., Rs. .... under the Kerala Motor Vehicles Taxation Ordinance 1975, in respect of the vehicle referred to has been collected at.................on.................. for the period from .... to ....

Station:

Date:

Taxation Officer.

FORM G

INTIMATION OF NON-USE OF A VEHICLE

[Section 5(1) of the Kerala Motor Vehicles Taxation Ordinance and Rule 10 of the Kerala Motor Vehicles Taxation Rules]

To:

The Regional Transport Officer ....

1. Registration No. of the vehicle
2. Name & address of the owner of the vehicle
3. The place where the vehicle is garaged and the date of garaging
4. Reasons for the non-use
5. Probable date on which the vehicle will be put to use
6. Period upto which tax has been paid
7. Period for which tax exemption is requested for
8. **Remarks**

Place:

Date:

Signature of the Registered owner/ person in possession of the vehicle.

Acknowledgement

Received on from in form 'G' an application for tax exemption in respect of (class of vehicle)............ ....(identification No..................).

Office seal.

Regional Transport Officer.

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (1)

No. 33942/TC2/75-1/PW. *Dated, Trivandrum, 29th September 1975.*

Notification regarding appointment of officers to exercise the powers and perform the functions of Taxation Officers under Kerala Motor Vehicles Taxation Ordinance, 1975

[Section 2 (i)]

S. R. O. No. 872/75.—In exercise of the powers conferred by clause (i) of section 2 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance 7 of 1975) and in supersession of Notification (1) No. 18998/63/PW/TB2 dated 28th June 1963 published as S. R. O. No. 604/63 in Gazette Extraordinary No. 90 dated 28th June 1963, the Government of Kerala hereby appoint the following officers to exercise the powers and to perform the functions of Taxation Officers under the said Act, within their respective jurisdictions:

(a) The Regional Transport Officers

(b) Joint Regional Transport Officers

(c) Officers in charge of Government Treasuries

(d) Motor Vehicles Inspectors

(e) Assistant Motor Vehicles Inspectors

(f) Head Accountants (in respect of non-transport Vehicles only)

By order of the Governor,

T. V. SWAMINATHAN,
Special Secretary.

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (2)

(Conditions for the issue of temporary licence).

[Section 3(4)]

No. 33942/TC2/75-2/PW. *Dated, Trivandrum, 29th September 1975.*

S.R.O. No. 873/75.—In exercise of the powers conferred by sub-section (4) of section 3 of the Kerala Motor Vehicles Taxation Ordinance, 1975, (Ordinance No. 7 of 1975) and in supersession of Notification (3)18998/63/PW/TB2 dated 28th June 1963 published as S.R.O. No. 606/63 in Kerala Gazette Extraordinary No. 90 dated 28th June 1963, the Government of Kerala hereby direct that a temporary licence for a period not exceeding 7 days or 30 days at a time may be issued in respect of any class of motor vehicles specified in the Schedule to the said Ordinance on payment of the tax specified in sub-section (5) of section 3 thereof, subject to the following conditions:—

1. Temporary licence shall be issued in respect of:

   (a) Vehicles brought into this State for temporary visits; or

   (b) Vehicles acquired in this State and intended to be taken out of it after a temporary stay; or

   (c) Transport Vehicles without valid permits acquired in any other State and brought into this State, for use in this State after obtaining necessary permit; or

   (d) Stage Carriages (other than reserve or regular) issued with temporary permits for periods not exceeding 7 days or 30 days at a time.

2. The licence shall be obtained from any Taxation Officer on an application made in writing showing the following particulars:

   (a) Name and address of the registered owner or person in possession or control of the vehicle;

   (b) Registration No. and description of the vehicle;

   (c) Type of tyres—whether pneumatic or not; and

   (d) Period for which and the date from which the licence is required.

3. No refund of the tax paid shall be allowed under any circumstances. But amounts wrongly demanded and collected by the Taxation Officers will be refunded.

4. Temporary licences shall be displayed in the same manner as quarterly, or annual licence.

By order of the Governor,

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (3)

No. 33942/TC2/75-3/PW. *Dated, Trivandrum, 29th September 1975.*

Notification regarding refund of tax

[Section (6)]

S.R.O.No. 874/75.—Under section 6 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance No. 7 of 1975) and in supersession of Notification (4) of 18998/63/PW/TB2 dated 28th June 1963 published as S.R.O. No. 607/63 in Kerala Gazette Extraordinary No. 90 dated 28th June 1963, the Government of Kerala hereby notify that in the case of a motor vehicle which has not been used or kept for use for a continuous period of not less than one month during the whole of any quarter or year for which tax has been paid, a refund of the tax paid for such period shall be payable at the rate of one third of the quarterly tax for every calendar month during which the motor vehicle was not used or kept for use subject to the following conditions:—

1. Application in writing for the refund of tax along with the tax licence shall be made to the Deputy Transport Commissioner through the Regional Transport Officer concerned, so as to reach the Regional Transport Officer within one week from the date of commencement of the period for which the refund is claimed, stating the period of non-use and the place of garage of the vehicle and if on verification, it is found that the vehicle has not been used during such period; and

2. Tax due for the period is paid in this State within the time prescribed

Note: (1) In case, the period of non-use of the vehicle does not cover the entire period of validity of the tax licence, the Regional Transport Officer may return the tax licence to the owner of the vehicle recording the fact in the application for the refund.

(2) In respect of a non-transport vehicle, no refund of tax shall be admissible for any period on the ground of its non-use in this State, if it has been used outside the State during such period.

By order of the Governor,

T. V. Swaminathan,
Special Secretary.

3/3464/MC

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (4)

No. 33942/TC2/75-4/PW. *Dated, Trivandrum, 29th September 1975.*

(Notification regarding authorisation of officers to seize and detain motor vehicles used or kept for use without paying the tax)

(Section 11)

S.R.O. No. 875/75.—In exercise of the powers conferred by section 11 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance No. 7 of 1975), the Government of Kerala hereby authorise all officers of the Motor Vehicles Department of and above the rank of Assistant Motor Vehicles Inspector to seize and detain motor vehicles used or kept for use in the State without paying the tax due and to make arrangement for the safe custody of such vehicles pending production of proof of payment of the tax.

By order of the Governor,

T. V. SWAMINATHAN,
Special Secretary.

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (5)

No. 33942/TC2/75-5/PW. *Dated, Trivandrum, 29th September* 1975.

(Notification regarding additional tax payable when tax is not paid)

[Section 12 (1)]

S. R. O. No. 876/75.—In exercise of powers conferred by sub-section (1) of section 12 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance No. 7 of 1975), the Government of Kerala hereby direct that if the tax in respect of a motor vehicle has not been paid within the prescribed period, additional tax as specified in the table below, shall be payable along with the tax, fraction of a rupee being rounded off to the nearest rupee.

(1)		(2)
1.	Within one month after the prescribed period	10% of the tax due for the quarter or part thereof.
2.	Beyond one month after the prescribed period and within the quarter	20% do.
3.	After the quarter, but within the succeeding quarter	25% do.
4.	In other cases	50% do.

By order of the Governor,

T. V. SWAMINATHAN,
Special Secretary.

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (6)

No. 33942/TC2/75-6/PW. *Dated, Trivandrum, 29th September 1975.*

(Notification regarding reduction in the rate of tax of a motor vehicle designed for agricultural operations when used for purposes other than agricultural operations)

(Section 21)

S. R. O. No. 877/75.—Under the second proviso to section 21 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance No. 7 of 1975), the Government of Kerala hereby make a reduction in the rate of tax in respect of a tractor, trailer or a tractor-trailer combination which is designed to be used for agricultural operations, to two thirds of the rate of tax specified in class 5 of the schedule annexed to the Ordinance, if such vehicle is used for purposes other than agricultural operations, whether by the owner of the vehicle himself or by any other person on hire:

Provided that the above concession shall be allowed only if the owner of such vehicle gives advance intimation to the Regional Transport Officer, of his intention to use his vehicle for any purpose other than agricultural operations and obtain necessary permit for such use, producing the certificate of registration also for endorsement of the reduced rate of tax.

By order of the Governor,

T. V. SWAMINATHAN,
Special Secretary.

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (7)

No. 33942/TC2/75-7/PW. *Dated, Trivandrum, 29th September 1975.*

(Notification regarding exemption of certain vehicles from payment of tax)

(Section 22)

S. R. O. No. 878/75.—In exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Ordinance, (Ordinance No. 7 of 1975), and in supersession of Notification No. (6) 18998/63/PW/TB2 dated 28th June 1963 published as S. R. O. No. 609/63 in Kerala Gazette Extraordinary No. 90 dated 28th June 1963, the Government of Kerala being satisfied that it is necessary in the public interest so to do, hereby exempt the following classes of motor vehicles from the payment of tax payable under the said Ordinance:

1. All motor vehicles owned by or on behalf of the Government of Kerala, except vehicles owned by commercial or quasi-commercial departments of the Government.

2. All Road Rollers and Road water Sprinklers belonging to local bodies.

3. Motor Vehicles used by local bodies for the disposal of sullage and sewage in connection with the Health services and not for any commercial purposes.

4. Any chassis of a motor vehicle which is driven to any place in order that a body may be attached to it.

5. Fire Engines and Fire tenders readily available for public requirements free of charge.

6. Ambulances solely used for the transport of patients or for the conveyance of dead bodies to or from any hospital, clinic or dispensary and belonging to local bodies or medical institutions or any public undertakings.

7. Any transport vehicle, which is, during the course of any specified taxation period, used for proceeding to or returning from a workshop for the purpose of equipping such vehicle with a producer gas installation or with a diesel oil engine and which is not used for any other purpose during the whole period, provided that previous permission in writing shall be obtained from the Regional Transport Officer concerned for the journeys to and from the workshop.

8. All motor vehicles owned by or on behalf of the Cental Government.

9. Motor Vehicles which during any specified taxation period are used only for the purpose of inspection, such as inspection prior to registration under

section 22, recording alteration under section 32, and issuing certificate of fitness under section 38 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), from payment of tax in respect of such period:

Provided, however, that in the case of a motor vehicle for which permit has already been issued under the Motor Vehicles Act, 1939 (Central Act 4 of 1939), the exemption shall apply only if the Regional Transport Officer concerned has immediately prior to the period of inspection issued a certificate to the effect that no tax is in arrears in respect of the said vehicle.

10. Any motor vehicle in disorder which is being removed from one place to another by towing or pushing or being driven for trial purposes and which is not used for any other purpose during the whole of any taxable period, if prior written permission specifying the date of such removal has been obtained from the Regional Transport Officer concerned:

Provided that if for any reason the above condition for grant of exemption is not complied with, tax at the rate prescribed for the class of vehicle for one month of a quarter, i.e., 1/3 of the rate per quarter will be levied, irrespective of the month of the quarter during which the vehicle is removed.

11. Motor Vehicles belonging to the Departments of Public Works Highways, Public Health and Civil Supplies of the Tamil Nadu State and plying solely for Government purposes in this State.

12. All transport vehicles belonging to Government of Tamil Nadu used for Government purposes, unconnected with any commercial enterprise, when used on roads of Kerala State.

13. Motor Vehicles which during any specified taxation period are used for the sole purpose of production before any court and for taking them back in compliance with the written orders of the court concerned, specifying the date or dates on which the vehicles may be used on the road for the above said purposes.

14. Any motor vehicle which during any specified taxation period is used for the sole purpose of removal from one place to another, as per directions of the competent authority in connection with any revenue recovery or auction proceedings.

15. All Transport Vehicles registerd in the State of Karnataka and plying regularly on Inter-State route on pucca permit between Karnataka and Kerala, under the reciprocal arrangement agreed to between the two States provided that the tax for the period has been paid in the State of Karnataka.

16. All Transport Vehicles belonging to the Government of Karnataka and plying in Kerala State (Pursuant to the reciprocal agreement entered into, between Karnataka and Kerala States) provided that the vehicles are used for Government purposes, unconnected with any commercial enterprise.

17. All motor vehicles belonging to the U. S. Technical Co-operation Mission and used by its personnel in this State.

18. All motor vehicles owned by CARE in Kerala.

19. Motor Vehicles attached to the Indo-Norwegian Projects.

20. Vehicles registered in the name of United Nation Agencies and Organisation in India.

21. All non-transport vehicles registered and normally kept in any other State in India or having valid international certificates of Registration and brought into the State by any person visiting or making a temporary stay in the State for the period for which tax has been paid in the other State in India.

22. All non-transport vehicles which are transferred to this State permanently from any other State in India within a quarter are exempted from payment of tax for the quarter for which tax has been paid in the other State.

23. The Stage Carriages registered in the State of Karnataka and used as reserve buses in case of break down of regular route buses plying on inter-State routes, between the States of Karnataka and Kerala subject to the following conditions:—

(1) that only one reserve bus of each operator shall be entitled to the tax exemption;

(2) that similar exemption is granted by the Government of Karnataka in respect of vehicles of this State.

24. All Stage Carriages, Goods Vehicles and Contract Carriages which are registered in Mahe (Union Territory of Pondicherry) and operating on routes or in areas, as the case may be, lying partly in Mahe and partly in the State of Kerala subject to the condition that:—

(i) the permit of the vehicle so registered is countersigned for operation in Kerala by a competent Transport Authority and the permit is current;

(ii) the vehicle operates only on the route or area as the case may be covered by countersignature; and

(iii) that the tax due on the vehicle under the rules in force as applicable to Mahe has been paid in full in Pondicherry State:

Provided that the expression "registered in Mahe (Union Territory of Pondicherry)" shall include a motor vehicle continuing to have the registration mark of another State for the maximum period allowed under section 29 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939) and the rules made thereunder.

By order of the Governor,

T. V. SWAMINATHAN,

Special Secretary.

GOVERNMENT OF KERALA

Public Works (Transport-C) Department

NOTIFICATION (8)

No. 33942/TC2/75-8/PW. *Dated, Trivandrum, 29th September 1975.*

S. R. O. No. 879/75.—In exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance No. 7 of 1975), the Government of Kerala being of opinion that it is necessary in the public interest so to do, hereby reduce the tax payable in respect of public carrier goods vehicles which are registered and normally kept in any one of the States of Tamilnadu, Karnataka, Andhra Pradesh and Maharashtra or of the Union Territories of Goa and Pondicherry and are authorised to ply in the State of Kerala, in pursuance of the Reciprocal Agreement entered into between the State of Kerala and the aforesaid States and Union Territories, to Rs. 700 (Rupees Seven hundred) only per financial year or part thereof per vehicle, irrespective of the laden weight of such vehicle:

Provided that:—

(1) the authorisations issued pursuant to the reciprocal agreement are in force for the time being, for plying the vehicles on the routes or areas in Kerala State;

(2) the tax leviable in respect of such public carrier goods vehicles under any law for the time being in force, has been paid in full in the Home State for the relevant period;

(3) the tax aforesaid for every financial year shall be paid in advance before the 15th March of the previous year or in two equal instalments, the first instalment being paid before the 15th March of the previous year and the second instalment, before the 15th September of the current year and where such authorisations are issued during the course of the financial year, the tax shall be paid before the actual issue of such authorisations;

(4) exemption from payment of tax payable or refund of tax paid under this Notification, shall not be allowed if the period of non-use of the vehicles in Kerala State is less than one financial year; and

(5) prior intimation of non-use of the vehicle shall be given both to the Secretaries of the State Transport Authorities of the Home State and this State so as to reach them not later than 15 days from the commencement of the financial year to which the application for the exemption or refund relates.

By order of the Governor.

T. V. Swaminathan,
Special Secretary.

GOVERNMENT OF KERALA

Public Works (Transport C) Department

NOTIFICATION (9)

No. 33942/TC2/75-9/PW. *Dated, Trivandrum 29th September* 1975.

(*Notification regarding reduction in the rate of tax payable for reserve Stage Carriages*)

(Section 22)

S. R. O. No. 880/75.—In exercise of the powers conferred by Section 22 of the Kerala Motor Vehicles Taxation Ordinance, 1975 (Ordinance No. 7 of 1975), and in supersession of Notification No. (8) 18998/63/PW/TB2 dated 28th June 1963 published as S.R.O. No. 611/63 in Kerala Gazette extraordinary No. 90 dated 28th June 1963, the Government of Kerala being of opinion that it is necessary in the Public interest so to do hereby reduce the rate of tax on motor vehicles which are permitted to be used only as reserve stage carriages (reserve bus) to Rs. 25 for every sitting passenger and Rs. 6.25 for every standing passenger per quarter subject to the following conditions:—

1. The reserve bus shall be used solely for substitute service in place of the regular route stage carriages (route buses) for which the reserve bus is authorised to conduct substitute service and not for any other purpose during the entire quarter; and

2. Tax due in respect of all route buses for which the reserve bus is authorised shall be paid for the quarter.

By order of the Governor,

T. V. SWAMINATHAN,
Special Secretary.

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